

REMARKS

Independent claim 1 has been amended to better define the claimed invention and better distinguish the claimed invention from Sato et al. More particularly, independent claim 1 has been amended to stress that Applicant's process is a two step sequential process performed without breaking vacuum whereupon the first and second nitrite films deposited together have a greater thickness at the upper region as compared to the side regions and lower region. This is nowhere taught nor suggested by Sato et al. All that Sato et al. teaches is how ammonia flow rate and monosilane flow rate contribute to variations in film thickness differences. There is no teaching nor suggestion contained within Sato et al. of a two-step deposition process in which the ammonia and monosilane flow ratios are adjusted to provide a deposited film having different thicknesses at different regions as required by claim 6. Accordingly, claim 6 and the several claims directly or indirectly dependent thereon cannot be said to be obvious from Sato et al.

Form PTO-2038 authorizing credit card payment in the amount of \$905.00 to cover the cost of the Petition for Three Month Extension of Time and the Request for Continued Examination accompanies this Amendment.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action is respectfully requested.

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicant
Reg. No. 24,315

Customer No. 27,667

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 14, 2006, at Tucson, Arizona.

By 

NPS/TJ:kls:ps

HAYES SOLOWAY P.C.
3450 E. SUNRISE DRIVE
SUITE 140
TUCSON, AZ 85718
TEL. 520.882.7623
FAX. 520.882.7643

175 CANAL STREET
MANCHESTER, NH 03101
TEL. 603.668.1400
FAX. 603.668.8567